

# McDermott Will&Emery

Boston Brussels Chicago Düsseldorf London Los Angeles Miami Milan  
 Munich New York Orange County Rome San Diego Silicon Valley Washington, D.C.

## FACSIMILE

Date: October 29, 2004

Time Sent:

To:	Company:	Facsimile No:	Telephone No:
Examiner	U.S. Patent & Trademark Office	(571) 273-1655	(571) 272-1655
<b>From:</b>	Arthur J. Steiner	<i>Direct Phone:</i>	(202) 756-8605
<i>E-Mail:</i>	asteiner@MWE.com		
<i>Sent By:</i>	L. Renee Douglas	<i>Direct Phone:</i>	202-756-8393
<i>Client/Matter/Tkpr:</i>	65933-044	<i>Original to Follow by Mail:</i>	No
		<i>Number of Pages, Including Cover:</i>	4
<b>Re:</b>	Serial No. 10/664,875		

Message:

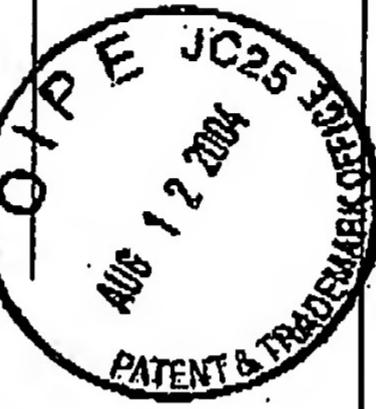
The information contained in this facsimile message is legally privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copy of this facsimile is strictly prohibited. If you have received this facsimile in error, please notify us immediately by telephone and return the original message to us at the below address by mail. Thank you.

**IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL AS SOON AS POSSIBLE.**

Main Facsimile: 202.756.8087      Facsimile Operator: 202.756.8090

**U.S. practice conducted through McDermott Will & Emery LLP.**  
 600 Thirteenth Street, N.W.      Washington, D.C. 20005-3096      Telephone: 202.756.8000

Applicant:	Naotaru MATSUBARA, et al.			Docket No.	<b>65933-044</b>		
Title:	SEMICONDUCTOR DEVICE INCLUDING INTERCONNECTS FORMED BY DAMASCENE PROCESS AND MANUFACTURING METHOD THEREOF			Serial/Reg. Patent No.	<b>10/664,875</b>		
Date Sent:	8/12/2004	<input checked="" type="checkbox"/> Hand Carried	<input type="checkbox"/> Fax	<input type="checkbox"/> Electronic	<input type="checkbox"/> Cart. of Mailing	<input type="checkbox"/> First Class Mail	<input type="checkbox"/> Express Mail No. _____
<input type="checkbox"/> Transmittal Letter							
New Patent App	<input type="checkbox"/>	Utility	<input type="checkbox"/>	Design	<input type="checkbox"/>	Cont.	<input type="checkbox"/> CIP
Other:							
<input type="checkbox"/> pages of Specification							
<input type="checkbox"/> pages of Claims							
<input type="checkbox"/> pages of Abstract							
<input type="checkbox"/> pages of Formal/Informal Drawings							
Small Entity	<input type="checkbox"/>			Large Entity	<input type="checkbox"/>		
Declaration/Power of Attorney	<input type="checkbox"/>			Recordation of Assignment/Security Agreement	<input type="checkbox"/>		
Information Disclosure Statement	<input type="checkbox"/>			Form PTO 1449	<input type="checkbox"/>		
<input type="checkbox"/> copies of cited references							
Preliminary Amendment	<input type="checkbox"/>			Response to Missing Parts Notice	<input type="checkbox"/>		
<input type="checkbox"/> Resp. to Notice to Correct App. Papers							
<input type="checkbox"/> Certified Copy of Priority Doc.							
<input type="checkbox"/> Claim for Convention Priority							
<input checked="" type="checkbox"/> Response/Amendment to Office Action of <u>July 14, 2004</u>							
<input type="checkbox"/> Request for <u>month</u> Extension of Time							
Check for \$ <u>                  </u>		<input type="checkbox"/> Charge Deposit Acct. 5004173		<input type="checkbox"/> Atty Int'l.	<input type="checkbox"/> AJS	<input type="checkbox"/> Tkpt. # <b>4236</b>	<input type="checkbox"/> Secy. or PL: <b>NBelt</b>
<b>CMS Dept#: _____</b>							
<b>THE PATENT AND TRADEMARK OFFICE DATE STAMPED HEREON IS ACKNOWLEDGEMENT THAT THE ITEMS CHECKED ABOVE, WERE RECEIVED BY THE PTO ON THE DATE STAMPED.</b>							



Docket No.: 65933-044

**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of : Customer Number: 20277  
Naoteru MATSUBARA, et al. : Confirmation Number: 4231  
Serial No.: 10/664,875 : Group Art Unit: 2811  
Filed: September 22, 2003 : Examiner: J. Im  
For: SEMICONDUCTOR DEVICE INCLUDING INTERCONNECTS FORMED BY  
DAMASCENE PROCESS AND MANUFACTURING METHOD THEREOF

**RESPONSE TO RESTRICTION REQUIREMENT**

Mail Stop Restriction Requirement  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In the Office Action dated July 14, 2004, the Examiner imposed a Restriction Requirement pursuant to 35 U.S.C. §121, requiring election of either:

Group I. Claims 1 through 5, directed a semiconductor device; or

Group II. Claims 6 through 17, directed to a method.

In response Applicants elect to process device claims 1 through 5 (Group I). Favorable consideration of claims 1 through 5 is solicited. Applicants further solicit rejoinder of non-elected method claims 6 through 17, upon the determination of an allowable device claim, pursuant to the provisions of MPEP§821.04.

10/664,875

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

MCDERMOTT WILL & EMERY LLP

  
Arthur J. Steiner  
Registration No. 26,106

600 13<sup>th</sup> Street, N.W.  
Washington, DC 20005-3096  
202.756.8000 AJS:ntb  
Facsimile: 202.756.8087  
Date: August 12, 2004